

NATIONAL CAPITAL COMMISSION
COMMISSION DE LA CAPITALE NATIONALE

Annual Report to Parliament

PRIVACY ACT

APRIL 1, 2023 TO MARCH 31, 2024

Canada

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INTRODUCTION

The *Privacy Act* gives Canadian citizens and people present in Canada the right to have access to information about them that is held by the federal government. It also protects against unauthorized disclosure of that personal information. In addition, it strictly controls how the government will collect, use, store, disclose, and dispose of any personal information. This annual report to Parliament was prepared and shall be tabled in accordance with section 72 of the *Privacy Act*.

The National Capital Commission (NCC) is a Crown corporation that was created by Parliament in 1959 as the steward of federal lands and buildings in Canada's National Capital Region. The corporation is responsible for planning, as well as taking part in the development, conservation and improvement of Canada's Capital Region. The NCC is governed by a national board of directors. The NCC reports to Parliament through the minister of Public Services and Procurement.

The *National Capital Act* defines the NCC's mandate. The NCC fulfills its mandate through the following areas of activity:

- setting the long-term planning direction for federal lands in Canada's Capital Region;
- regulating the use and development of federal lands in Canada's Capital Region;
- managing, conserving and protecting NCC assets (including Gatineau Park, the Greenbelt, urban parks, real property, and other assets such as bridges, pathways and parkways); and
- maintaining heritage sites in Canada's Capital Region, such as the official residences and commemorative sites.

ORGANIZATIONAL STRUCTURE

The Access to Information and Privacy (ATIP) Office is part of the NCC's Public, Legal and Corporate Affairs Branch. It is responsible for the administration of the *Access to Information Act* and the *Privacy Act* for the corporation. The chief of ATIP acts as the institutional coordinator and is assisted by three ATIP analysts and one part-time consultant.

The ATIP Office ensures that the NCC meets its legislated obligations in replying to requests with support from a network of ATIP branch representatives in each of the corporation's program areas.

The NCC was not party to any service agreements pursuant to section 73.1 of the *Privacy Act*.

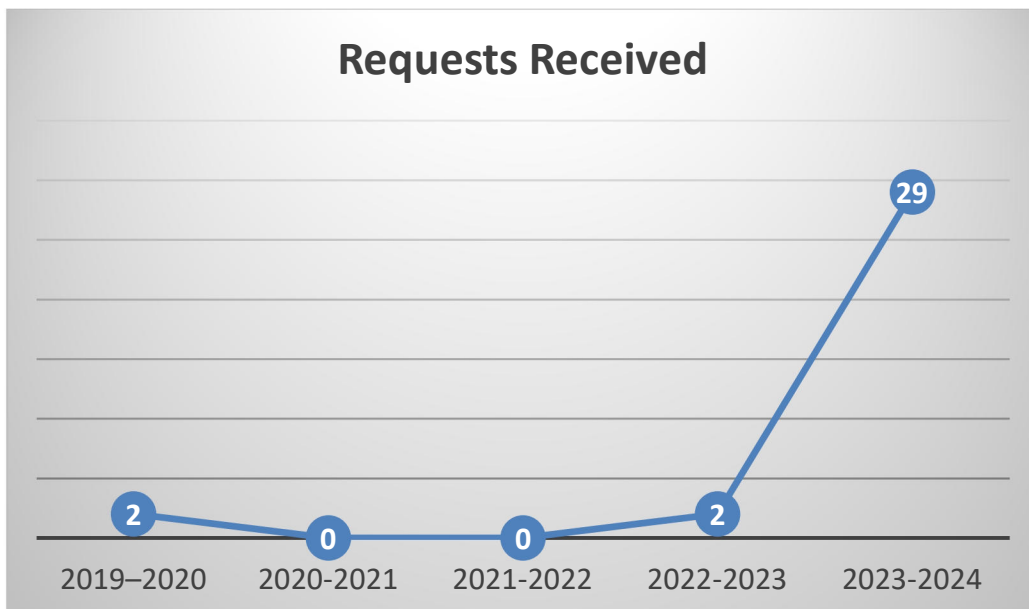
STATISTICS

The following statistics describe the administration of the *Privacy Act* within the NCC for the period of April 1, 2023, to March 31, 2024, as detailed in the attached Appendix A.

Requests Processed Under the *Privacy Act*

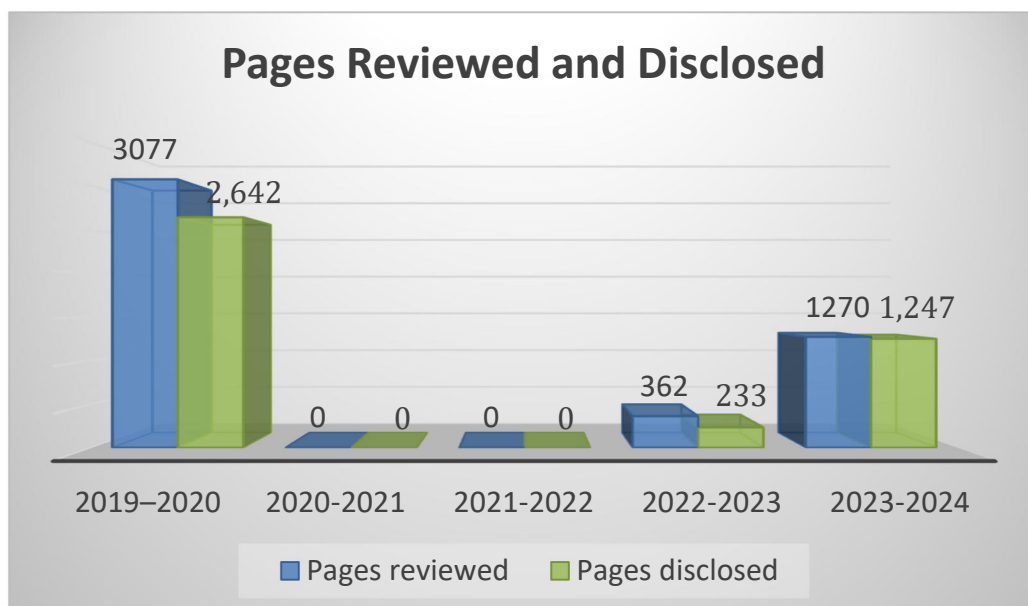
There was only one outstanding request from previous reporting periods. During the reporting period, the NCC received 29 requests, and these were all closed before the end of the fiscal year, while a 30-day extension was invoked for the volume of records received for the two requests. No requests were carried forward to the next fiscal year. It is to be noted that 25 of the 29 requests received were from one requester. These 25 requests were all abandoned.

Since the 2019–2020 fiscal year, the NCC has received 33 *Privacy Act* requests. The number of pages reviewed and pages disclosed have varied significantly in the past fiscal years. There is no trend or event that explains this fluctuation.





The NCC responded to 29 requests within the legislated time frame, being 97.7 percent compliant. The records were provided electronically, and the requests were closed within 30 days of being received. The only request that was overdue, that was received during the same period, was completed 7 days after the legislated deadline.



Consultations completed for other institutions

This is not applicable as no requests were processed.

Exemptions Invoked

It was necessary to invoke exemptions and release only part of the records for two of the three privacy requests that were closed. Exemptions were invoked to protect solicitor-client privileged information and information about individuals other than the requester.

INITIATIVES AND PROJECTS TO IMPROVE PRIVACY

An audit was completed to assess the adequacy and effectiveness of the NCC's management control framework for the collection, use, retention and disposal of personal information. The ATIP office accepted all the recommendations. The main recommendations included an update of the privacy breach process, clarifying roles and responsibilities regarding the management of privacy impact assessments, improving the delivery of training to NCC staff and updating privacy notices to ensure proper consent is obtained when collecting personal information. The implementation of these recommendations should be completed in the next fiscal year.

INSTITUTIONAL POLICIES AND PROCEDURES

The NCC has several Corporate Administrative Policies and Procedures (CAPPs). Specifically, the CAPP on privacy helps to ensure that the NCC fulfills its obligations under the *Privacy Act*.

This policy provides guidance to employees with respect to the application of the *Privacy Act*, and outlines the responsibilities of the Executive Management Committee, senior managers, branch representatives, managers and employees. The update of this 2019 policy was initiated during the reporting period.

DELEGATION OF AUTHORITY

The chairperson of the NCC is designated as head of the institution by virtue of the "*Privacy Act* Heads of Government Institutions Designation Order (SI/83-114, as amended)." The chairperson is responsible for administering the *Privacy Act*.

The chairperson has delegated the authority under the *Privacy Act* to key officials within the organization in accordance with subsection 73(1) of the *Privacy Act*.

The chief executive officer, the vice-president of the PLCA Branch and the chief of ATIP have complete delegated authority. The ATIP analysts have limited delegation for the application of specific exemptions.

A copy of the delegation order, signed May 2nd, 2022, is attached for reference (*see Appendix B*).

EDUCATION AND TRAINING

ATIP awareness/information sessions are offered, in both official languages, to NCC employees at large. The Canada School of Public Service Access to Information and Privacy online course was completed by 99 new employees, representing an 88 percent completion rate.

COMPLAINTS AND INVESTIGATIONS

No complaints were received during the reporting period. No outstanding complaints remained from previous reporting periods.

PRIVACY IMPACT ASSESSMENT

One privacy impact assessment (PIA) was completed for the Gambit software during the reporting period. This software facilitates the intake and transmittal of personal information for security assessments of employees. There was no change in the collection, use and disclosure of personal information by using this new software. Summaries of the PIAs conducted by the NCC are posted on the institution's website at the following address: <http://ncc-ccn.gc.ca/transparency>.

MONITORING OF COMPLIANCE

The ATIP staff and the ATIP coordinator regularly monitored the time taken to process active privacy requests and met weekly to review all active requests. No consultations were necessary to process the requests received. Except for the current year, few requests are received. It is to be noted that 25 of the 29 requests received were from one requester. These 25 requests were all abandoned. No trend can therefore be established to make the personal information available through other means than through formal requests. Each request is assessed on a case-by-case basis by the ATIP analysts to determine if consultations with other institutions are necessary.

The NCC includes in its contracts generic provisions related to the collection, use, control, retention, and communication of personal information, as well as audit rights to enable the NCC to verify compliance with these provisions.

PRIVACY BREACHES

No material privacy breaches were reported to the Privacy Commissioner or to the Treasury Board Secretariat for the current reporting period.

PUBLIC INTEREST DISCLOSURES

No personal information was disclosed under paragraph 8(2)(m) for the current reporting period.

COSTS TO ADMINISTER THE *PRIVACY ACT*

Costs associated with the administration of the *Privacy Act* are related to processing requests and providing advice and guidance on matters pertaining to the collection, use, disclosure, retention and disposal of personal information. A total of 0.475 full-time equivalents were used to administer the *Privacy Act* throughout the NCC. Salaries and administration costs amounted to \$83,753.

APPENDIX A

Statistical Report on the *Privacy Act*

Name of institution: National Capital Commission

Reporting period: 2023-04-01 to 2024-03-31

Section 1: Requests Under the *Privacy Act*

1.1 Number of requests received

		Number of Requests
Received during reporting period		29
Outstanding from previous reporting periods		1
• Outstanding from previous reporting period	1	
• Outstanding from more than one reporting period	0	
Total		30
Closed during reporting period		30
Carried over to next reporting period		0
• Carried over within legislated timeline	0	
• Carried over beyond legislated timeline	0	

1.2 Channels of requests

Source	Number of Requests
Online	29
E-mail	0
Mail	0
In person	0
Phone	0
Fax	0
Total	29

Section 2: Informal requests

2.1 Number of informal requests

		Number of Requests
Received during reporting period		0
Outstanding from previous reporting periods		0
• Outstanding from previous reporting period	0	
• Outstanding from more than one reporting period	0	
Total		0
Closed during reporting period		0
Carried over to next reporting period		0

2.2 Channels of informal requests

Source	Number of Requests
Online	0
E-mail	0
Mail	0
In person	0
Phone	0
Fax	0
Total	0

2.3 Completion time of informal requests

Completion Time							
0 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Days	More Than 365 Days	Total
0	0	0	0	0	0	0	0

2.4 Pages released informally

Less Than 100 Pages Released		100-500 Pages Released		501-1000 Pages Released		1001-5000 Pages Released		More Than 5000 Pages Released	
Number of Requests	Pages Released	Number of Requests	Pages Released	Number of Requests	Pages Released	Number of Requests	Pages Released	Number of Requests	Pages Released
0	0	0	0	0	0	0	0	0	0

Section 3: Requests Closed During the Reporting Period

3.1 Disposition and completion time

Disposition of Requests	Completion Time							
	0 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Days	More Than 365 Days	Total
All disclosed	0	1	0	0	0	0	0	1
Disclosed in part	0	0	1	1	0	0	0	2
All exempted	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0
No records exist	1	0	0	0	0	0	0	1
Request abandoned	25	1	0	0	0	0	0	26
Neither confirmed nor denied	0	0	0	0	0	0	0	0
Total	26	2	1	1	0	0	0	30

3.2 Exemptions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
18(2)	0	22(1)(a)(i)	0	23(a)	0
19(1)(a)	0	22(1)(a)(ii)	0	23(b)	0
19(1)(b)	0	22(1)(a)(iii)	0	24(a)	0
19(1)(c)	0	22(1)(b)	0	24(b)	0
19(1)(d)	0	22(1)(c)	0	25	0
19(1)(e)	0	22(2)	0	26	2
19(1)(f)	0	22.1	0	27	1
20	0	22.2	0	27.1	0
21	0	22.3	0	28	0
		22.4	0		

3.3 Exclusions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
69(1)(a)	0	70(1)	0	70(1)(d)	0
69(1)(b)	0	70(1)(a)	0	70(1)(e)	0
69.1	0	70(1)(b)	0	70(1)(f)	0
		70(1)(c)	0	70.1	0

3.4 Format of information released

Paper	Electronic				Other
	E-record	Data set	Video	Audio	
0	3	0	0	0	0

3.5 Complexity

3.5.1 Relevant pages processed and disclosed for paper, e-record and dataset formats

Number of Pages Processed	Number of Pages Disclosed	Number of Requests
1270	1247	29

3.5.2 Relevant pages processed per request disposition for paper, e-record and dataset formats by size of requests

Disposition	Less Than 100 Pages Processed		100-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More Than 5000 Pages Processed	
	Number of Requests	Pages Processed	Number of Requests	Pages Processed	Number of Requests	Pages Processed	Number of Requests	Pages Processed	Number of Requests	Pages Processed
All disclosed	1	43	0	0	0	0	0	0	0	0
Disclosed in part	0	0	0	0	2	1227	0	0	0	0
All exempted	0	0	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0	0	0
Request abandoned	26	0	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0	0	0
Total	27	43	0	0	2	1227	0	0	0	0

3.5.3 Relevant minutes processed and disclosed for audio formats

Number of Minutes Processed	Number of Minutes Disclosed	Number of Requests
0	0	0

3.5.4 Relevant minutes processed per request disposition for audio formats by size of requests

Disposition	Less than 60 Minutes processed		60-120 Minutes processed		More than 120 Minutes processed	
	Number of requests	Minutes Processed	Number of requests	Minutes Processed	Number of requests	Minutes Processed
All disclosed	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0
All exempted	0	0	0	0	0	0
All excluded	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0
Total	0	0	0	0	0	0

3.5.5 Relevant minutes processed and disclosed for video formats

Number of Minutes Processed	Number of Minutes Disclosed	Number of Requests
0	0	0

3.5.6 Relevant minutes processed per request disposition for video formats by size of requests

Disposition	Less than 60 Minutes processed		60-120 Minutes processed		More than 120 Minutes processed	
	Number of requests	Minutes Processed	Number of requests	Minutes Processed	Number of requests	Minutes Processed
All disclosed	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0
All exempted	0	0	0	0	0	0
All excluded	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0
Total	0	0	0	0	0	0

3.5.7 Other complexities

Disposition	Consultation Required	Legal Advice Sought	Interwoven Information	Other	Total
All disclosed	0	0	0	0	0
Disclosed in part	0	0	0	0	0
All exempted	0	0	0	0	0
All excluded	0	0	0	0	0
Request abandoned	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0
Total	0	0	0	0	0

3.6 Closed requests

3.6.1 Number of requests closed within legislated timelines

Number of requests closed within legislated timelines	29
Percentage of requests closed within legislated timelines (%)	96.66666667

3.7 Deemed refusals

3.7.1 Reasons for not meeting legislated timelines

Number of requests closed past the legislated timelines	Principal Reason			
	Interference with operations / Workload	External Consultation	Internal Consultation	Other
1	1	0	0	0

3.7.2 Request closed beyond legislated timelines (including any extension taken)

Number of days past legislated timelines	Number of requests past legislated timeline where no extension was taken	Number of requests past legislated timeline where an extension was taken	Total
1 to 15 days	1	0	1
16 to 30 days	0	0	0
31 to 60 days	0	0	0
61 to 120 days	0	0	0
121 to 180 days	0	0	0
181 to 365 days	0	0	0
More than 365 days	0	0	0
Total	1	0	1

3.8 Requests for translation

Translation Requests	Accepted	Refused	Total
English to French	0	0	0
French to English	0	0	0
Total	0	0	0

Section 4: Disclosures Under Subsections 8(2) and 8(5)

Paragraph 8(2)(e)	Paragraph 8(2)(m)	Subsection 8(5)	Total
0	0	0	0

Section 5: Requests for Correction of Personal Information and Notations

Disposition for Correction Requests Received	Number
Notations attached	0
Requests for correction accepted	0
Total	0

Section 6: Extensions

6.1 Reasons for extensions

	15(a)(i) Interference with operations				15 (a)(ii) Consultation			15(b) Translation purposes or conversion
	Further review required to determine exemptions	Large volume of pages	Large volume of requests	Documents are difficult to obtain	Cabinet ConfidenceSection (Section 70)	External	Internal	
Number of extensions taken								
2	0	2	0	0	0	0	0	0

6.2 Length of extensions

Length of Extensions	15(a)(i) Interference with operations				15 (a)(ii) Consultation			15(b) Translation purposes or conversion
	Further review required to determine exemptions	Large volume of pages	Large volume of requests	Documents are difficult to obtain	Cabinet ConfidenceSection (Section 70)	External	Internal	
1 to 15 days	0	0	0	0	0	0	0	0
16 to 30 days	0	2	0	0	0	0	0	0
31 days or greater								0
Total	0	2	0	0	0	0	0	0

Section 7: Consultations Received From Other Institutions and Organizations

7.1 Consultations received from other Government of Canada institutions and other organizations

Consultations	Other Government of Canada Institutions	Number of Pages to Review	Other Organizations	Number of Pages to Review
Received during the reporting period	0	0	0	0
Outstanding from the previous reporting period	0	0	0	0
Total	0	0	0	0
Closed during the reporting period	0	0	0	0
Carried over within negotiated timelines	0	0	0	0
Carried over beyond negotiated timelines	0	0	0	0

7.2 Recommendations and completion time for consultations received from other Government of Canada institutions

Recommendation	Number of Days Required to Complete Consultation Requests							
	0 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Days	More Than 365 Days	Total
Disclose entirely	0	0	0	0	0	0	0	0
Disclose in part	0	0	0	0	0	0	0	0
Exempt entirely	0	0	0	0	0	0	0	0
Exclude entirely	0	0	0	0	0	0	0	0
Consult other institution	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0

7.3 Recommendations and completion time for consultations received from other organizations outside the Government of Canada

Recommendation	Number of days required to complete consultation requests							
	0 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Days	More Than 365 Days	Total
Disclose entirely	0	0	0	0	0	0	0	0
Disclose in part	0	0	0	0	0	0	0	0
Exempt entirely	0	0	0	0	0	0	0	0
Exclude entirely	0	0	0	0	0	0	0	0
Consult other institution	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0

Section 8: Completion Time of Consultations on Cabinet Confidences

8.1 Requests with Legal Services

[illegible]

8.2 Requests with Privy Council Office

[illegible]

Section 9: Complaints and Investigations Notices Received

Section 31	Section 33	Section 35	Court action	Total
0	0	0	0	0

Section 10: Privacy Impact Assessments (PIAs) and Personal Information Banks (PIBs)

10.1 Privacy Impact Assessments

Number of PIAs completed	1
Number of PIAs modified	0

10.2 Institution-specific and Central Personal Information Banks

Personal Information Banks	Active	Created	Terminated	Modified
Institution-specific	10	0	1	8
Central	0	0	0	0
Total	10	0	1	8

Section 11: Privacy Breaches

11.1 Material Privacy Breaches reported

Number of material privacy breaches reported to TBS	0
Number of material privacy breaches reported to OPC	0

11.2 Non-Material Privacy Breaches

Number of non-material privacy breaches	1
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Section 12: Resources Related to the Privacy Act

12.1 Allocated Costs

Expenditures		Amount
Salaries		\$15,100
Overtime		\$0
Goods and Services		\$68,653
• Professional services contracts	\$68,496	
• Other	\$157	
Total		\$83,753

12.2 Human Resources

Resources	Person Years Dedicated to Privacy Activities
Full-time employees	0.163
Part-time and casual employees	0.000
Regional staff	0.000
Consultants and agency personnel	0.312
Students	0.000
Total	0.475

Supplemental Statistical Report on the *Access to Information Act* and the *Privacy Act*

Name of institution: National Capital Commission

Reporting period: 2023-04-01 to 2024-03-31

Section 1: Open Requests and Complaints Under the *Access to Information Act*

1.1 Enter the number of open requests that are outstanding from previous reporting periods.

Fiscal Year Open Requests Were Received	Open Requests that are <i>Within</i> Legislated Timelines as of March 31, 2024	Open Requests that are <i>Beyond</i> Legislated Timelines as of March 31, 2024	Total
Received in 2023-24	28	13	41
Received in 2022-23	0	1	1
Received in 2021-22	0	0	0
Received in 2020-21	0	9	9
Received in 2019-20	0	2	2
Received in 2018-19	0	0	0
Received in 2017-18	0	0	0
Received in 2016-17	0	0	0
Received in 2015-16	0	0	0
Received in 2014-15 or earlier	0	0	0
Total	28	25	53

1.2 Enter the number of open complaints with the Information Commissioner of Canada that are outstanding from previous reporting periods.

Fiscal Year Open Complaints Were Received by Institution	Number of Open Complaints
Received in 2023-24	6
Received in 2022-23	1
Received in 2021-22	0
Received in 2020-21	0
Received in 2019-20	0
Received in 2018-19	0
Received in 2017-18	0
Received in 2016-17	0
Received in 2015-16	0
Received in 2014-15 or earlier	0
Total	7

Section 2: Open Requests and Complaints Under the *Privacy Act*

2.1 Enter the number of open requests that are outstanding from previous reporting periods.

Fiscal Year Open Requests Were Received	Open Requests that are <i>Within</i> Legislated Timelines as of March 31, 2024	Open Requests that are <i>Beyond</i> Legislated Timelines as of March 31, 2024	Total
Received in 2023-24	0	0	0
Received in 2022-23	0	0	0
Received in 2021-22	0	0	0
Received in 2020-21	0	0	0
Received in 2019-20	0	0	0
Received in 2018-19	0	0	0
Received in 2017-18	0	0	0
Received in 2016-17	0	0	0
Received in 2015-16	0	0	0
Received in 2014-15 or earlier	0	0	0
Total	0	0	0

2.2 Enter the number of open complaints with the Privacy Commissioner of Canada that are outstanding from previous reporting periods.

Fiscal Year Open Complaints Were Received by Institution	Number of Open Complaints
Received in 2023-24	0
Received in 2022-23	0
Received in 2021-22	0
Received in 2020-21	0
Received in 2019-20	0
Received in 2018-19	0
Received in 2017-18	0
Received in 2016-17	0
Received in 2015-16	0
Received in 2014-15 or earlier	0
Total	0

Section 3: Social Insurance Number

Has your institution begun a new collection or a new consistent use of the SIN in 2023-24?	No
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Section 4: Universal Access under the Privacy Act

How many requests were received from foreign nationals outside of Canada in 2023-24?	25
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Canada

APPENDIX B

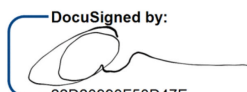
Delegation Order / Arrêté de délégation

Access to Information Act and Privacy Act / Loi sur l'accès à l'information et de la Loi sur la Protection des renseignements personnels

In accordance with section 95 of the *Access to Information Act* and section 73 of the *Privacy Act*, the Chairperson of the National Capital Commission hereby delegates authority granted for the provisions of these *Acts* as indicated below. Any prior Delegation Orders are hereby revoked.

Conformément à l'article 95 de la *Loi sur l'accès à l'information* et à l'article 73 de la *Loi sur la Protection des renseignements personnels*, le président de la Commission de la capitale nationale délègue, par le présent, l'autorité prévue dans les articles de ces *Lois*, ci-dessous mentionnés. Tous les arrêtés préalablement en vigueur sont révoqués.

Position/Poste	Provisions of the <i>Access to Information Act & Regulations</i> / Articles de la <i>Loi sur l'accès à l'information et Règlements</i>	Provisions of the <i>Privacy Act & Regulations</i> / Articles de la <i>Loi sur la Protection des renseignements personnels et Règlements</i>
Chief Executive Officer / Premier dirigeant	Full authority/Autorité absolue	Full authority/Autorité absolue
Vice-President Public, Legal and Corporate Affairs / Vice- président Affaires publiques, juridiques et d'entreprise	Full authority/Autorité absolue	Full authority/Autorité absolue
Chief, Access to Information and Privacy (ATIP) / Chef, Accès à l'information et la protection des renseignements personnels (AIPRP)	Full authority/Autorité absolue	Full authority/Autorité absolue
Senior Analyst, ATIP / Analyste principal, AIPRP (RE-05)	Full authority/Autorité absolue	Full authority except for 8(2)(m) /Autorité absolue sauf pour 8(2)(m)
ATIP Analyst / Analyste de l'AIPRP (RE-04)	Act / Loi: 4(2.1), 7, 8(1), 9, 10, 11(2), 19(1), 24(1), 25, 26, 27(1), (4), 33, 44(2), 35(2)(b) Regulations / Règlements: 6(1)	14, 15, 17(2)(b), 26, 33(2)
Junior ATIP Analyst / Analyste sub-alterne de l'AIPRP (RE-03)	Act / Loi: 4(2.1), 8(1), 11(2), 27(1), (4) Regulations / Règlements: 6(1)	
Director AREE and Chief Audit Executive / Directeur ARÉÉ et dirigeante de l'audit interne	10, 16.5, 35(2)(b)	22.3, 33(2)

DocuSigned by:

 22D20990F50D47E
 Marc Seaman
 Chairperson/Président

2022-May-02

Date